

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHAD E. WOOD,
Plaintiff,

v.

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY
Defendant.

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CIVIL ACTION
NO. 01-3670

O R D E R

AND NOW, this 7th day of June, 2005, upon consideration of Magistrate Judge Peter B. Scuderi's Report and Recommendation (Doc. 20), it is hereby ORDERED that Magistrate Judge Scuderi's Report and Recommendation is APPROVED and ADOPTED. For the reasons stated in Magistrate Judge Scuderi's Report, Plaintiff's Motion for Summary Judgment (Doc. 14) is GRANTED, and Defendant's Motion for Summary Judgment (Doc. 17) is DENIED. The above-captioned case is hereby REMANDED for further proceedings.

AND IT IS SO ORDERED.

/S Clarence C. Newcomer
United States District Judge